



Approved September 27, 2006

**PLANNING COMMISSION
CITY OF SCOTTSDALE
CITY HALL KIVA
3939 NORTH DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA
SEPTEMBER 13, 2006**

STUDY SESSION MINUTES

PRESENT: Steve Steinberg, Chairman
James Heitel, Vice-Chairman
David Barnett, Commissioner
Steven Steinke, Commissioner
Eric Hess, Commissioner
Jeffrey Schwartz, Commissioner

ABSENT: Kevin O'Neill, Commissioner

STAFF PRESENT: Lusia Galav
Frank Gray
Sherry Scott
Joe Padilla
Don Hadder
Kim Chafin

1. **CALL TO ORDER**

The study session of the Scottsdale Planning Commission was called to order by Chairman Steinberg at 4:04 p.m.

2. **ADMINISTRATIVE REPORT - LUSIA GALAV**

Ms. Galav reminded the Commission about the joint meeting with the Transportation Commission on September 21, 2006.

APPROVED

3. **REVIEW OF SEPTEMBER 13, 2006 AGENDA**

EXPEDITED AGENDA

16-UP-2006 First Impressions Preschool

Commissioner Barnett requested that start times be included in the stipulations. Ms. Chafin confirmed the security lighting was in compliance; if additional lighting were added there would need to be another approval. She noted the only item which needed to be brought into compliance was the fire protection system.

In response to a question by Chairman Steinberg, Ms. Chafin confirmed that the vacant 1.3 acre parcel was part of the church property; no plans exist for expansion of the church or classroom space. The church is in negotiations with a developer to subdivide the property.

Commissioner Schwartz commented on the double standard existing on these types of uses in different parts of town. He opined that this is an appropriate use for all parts of town and double standards should not be used depending on whether the location is in the north or the south.

10-AB-2006 Williams Estates

Ms. Galav reviewed this was a request for an abandonment of a GLO patent easement along the western and southern boundaries of a property on Shea Boulevard.

20-UP-2006 Cullum Custom Cabinets

Mr. Curtis confirmed that all operations, including the paint booth and dust collector would be located indoors. He noted that if the Commission had concerns about the stipulations because of experiences with similar businesses, the wording could be strengthened.

Ms. Galav reminded the Commission that there would be a special session for ethics training following the regular meeting.

4. **REVIEW OF SEPTEMBER 27, 2006 TENTATIVE AGENDA**

10-TA-2006 Accessory Buildings and Structures

Ms. Galav noted this application was a request to amend the zoning code to restrict the scale of accessory buildings in single family neighborhoods.

In response to a question by Commissioner Barnett, Mr. Hadder explained that 43,000 square feet was the cutoff point because of larger lots with equestrian uses that require barns and stables. Issues arise with the smaller lots and accessory buildings that are overwhelming to the neighborhood. Mr. Gray clarified that the problem was with scale, not zoning. The accessory building constraints are relative to the size of the parcel, not the zoning district. Staff

believe that a minimum lot size of 43,000 square feet is necessary to prevent buildings from overwhelming the lot.

Commissioner Hess requested that item 16-UP-2006 be moved to the regular agenda. He opined that conditional use permits for nonresidential uses in residential neighborhoods merited discussion and should not be on the expedited agenda.

11-TA-2006 Amendment to the Penalty Section of the Zoning Ordinance

Ms. Galav recalled the item had been on the agenda previously; additional public outreach was done in order to give the public a full understanding that it would affect penalties not only in the ESL but throughout the City.

In response to a question by Commissioner Barnett, Ms. Scott confirmed that the \$2,500 was the maximum penalty allowed under State laws and that the courts would have the discretion to lower the penalties.

19-UP-2006 Safeway at the Summit Fuel Sales

Mr. Hadder reviewed the request for a conditional use permit for a gasoline station. The operation is part of Safeway with a nominal store located on the south side of the north entrance. The use was not discussed with the original zoning. Mr. Hadder noted that public involvement began last spring.

In response to an inquiry by Commissioner Hess, Mr. Hadder confirmed that the temporary sign had not been replaced. He clarified that that particular sign belonged to the shopping center not Safeway; there are specific criteria in the sign ordinance relating to gas sales. He noted he would have someone from the sign group remind them that the temporary sign had been up for almost four years.

In response to a comment by Chairman Steinberg concerning the difficulty of left-hand turns heading south out of the parking lot, Mr. Hadder explained that a need for traffic improvements was not anticipated because of the relation between the Safeway and the gas station. A discussion ensued regarding the left-hand turn out, as well as the danger of the poor signage. Commissioner Schwartz opined that a tour should be taken to study the dangers and discuss whether limited directional signage could be used in the area.

Commissioner Hess reiterated that the temporary sign, which is now covered with vegetation, needed to be addressed; the criteria established have not been followed. Commissioner Schwartz opined that the lack of signage was potentially a deadly situation.

20-ZN-2002#2 One Scottsdale

Mr. Hadder clarified that this case would more likely be on the October 11 agenda. He reviewed the height request which will range between 60 and 90 feet. Three consecutive open houses have been conducted and staff continue to meet with various homeowners associations.

20-UP-2006 Tanner's Live Entertainment

Ms. Galav reviewed this application was for a conditional use permit for live entertainment at Tanner's; the Commission recently approved a bar use permit for this establishment.

25-ZN-2005 Earll Drive Condominiums

Ms. Galav reminded the Commission that this item was initially denied; the Commission took a vote to rehear the case. The initial rezoning request was brought in with no site plan or elevations and was planned for five stories; the Applicant will return with a site plan and a massing model.

Commissioner Schwartz mentioned previous discussions in which the Commission was told that the only height that was going to be permitted over three stories would be at the Waterfront regardless of the overlay. He inquired why staff was endorsing this five-story project. He opined that if five stories were to be allowed it should be in the 5th Avenue area. Mr. Gray clarified that staff was not endorsing the project; they were looking at the appropriateness of the height in relationship to the surrounding development.

In response to an inquiry by Commissioner Barnett, Mr. Gray explained there are many different downtown models. He opined that every city should develop their own model, which is part of the purpose of the Town Hall Meeting and the Downtown Consolidated Plan; AIA has offered to participate and do an analysis.

Commissioner Schwartz recused himself from discussion on the last five items.

4-GP-2006 Winstar Pro

5-GP-2006 2005 R.E. Investments

6-GP-2006 Lone Mountain Office

7-ZN-2006 Lone Mountain Bank

17-UP-2006 Lone Mountain Bank

Ms. Galav reviewed the five related cases, which included three General Plan amendments presented during the previous remote hearing

5. **ADJOURNMENT**

With no further business to discuss, the study session adjourned at 4:55 p.m.

Respectfully submitted,
A/V Tronics, Inc.

APPROVED